



12-31-03

RCE/16157

PTO/SB/30 (5/2000)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No	EV 335 858 177 US
Application Number	09/701,450
Filing Date	November 27, 2000
First Named Inventor	Fleischer and Reimer
Group Art Unit	1615
Examiner Name	Gollamudi S. Kishore
Attorney Docket No.	11390-005-999

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
 - i. RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 770.00
 - ii. Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ 950.00 for a three (3) month extension, the request for which is being made herewith
 - iii. Other _____
- b. Check in the amount of \$ _____ enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Samuel B. Abrams <i>by Samuel B. Abrams</i>	Registration No. (Attorney/Agent)	30,605
Signature	<i>Samuel B. Abrams</i> REG NO 40,203	Date	December 29, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner For Patents, P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450, or by facsimile transmitted to fax no. 1-703-_____ to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)		Registration No. (Attorney/Agent)
Signature		Date

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Express Mail No.: EV 335 858 177 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Fleischer and Reimer

Confirmation No.: 9935

Serial No.: 09/701,450

Group Art Unit: 1615

Filed: November 27, 2000

Examiner: Gollamudi S. Kishore

For: PREPARATIONS FOR THE APPLICATION OF
ANTI-INFLAMMATORY, ESPECIALLY
ANTISEPTIC AGENTS AND/OR AGENTS
PROMOTING THE HEALING OF WOUNDS TO
THE LOWER RESPIRATORY TRACT

Attorney Docket No.: 11390-005-999

REPLY UNDER 37 C.F.R. § 1.111 WITH AMENDMENT

Commissioner for Patents
Box RCE
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the outstanding Office Action, made Final, mailed June 27, 2003, please enter the following amendments and consider the remarks made below in connection with the above-identified application. Applicants submit concurrently herewith (a) a Petition under 37 C.F.R. § 1.36(a) for Extension of Time for Response for a period of three months from September 27, 2003 up to December 27, 2003, accompanied by the required fee; (b) an Amendment Fee Transmittal Sheet; (c) a Request for Continued Examination, accompanied by the required fee; and (d) Power of Attorney by Assignee with Revocation and Statement under 37 C.F.R. § 3.73(b).

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.